

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM

Section 7: Rito de Tierra Amarilla,
Rio Brazos, Plaza Blanca & Rutheron,
Cañones Creek, Village of Chama

MOTION TO JOIN ADDITIONAL PARTIES DEFENDANT

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer and requests the Court to join as additional parties the persons or entities named below and order them to answer the State's Complaint in this action as required in any civil action in the United States District Court or suffer default judgment against them. In support of this motion, the State asserts:

1. The persons or entities listed below are diverting and using or may claim the right to divert and use surface or underground waters within the Rio Chama Stream System.

Marcia Sue Vigil	CHRB-004-0003C	29-A Camino Montoya, Santa Fe NM 87575
Rudy Gilbert Vigil	CHRB-004-0003C	29-A Camino Montoya, Santa Fe NM 87575
Navora Martinez	CHRB-009-0012B	HC 75 Box 7, Tierra Amarilla NM 87575
Juan A. Martinez	CHRB-009-0012B	HC 75 Box 7, Tierra Amarilla NM 87575
Stephanie E. Martinez	CHRB-009-0012B	HC 75 Box 7, Tierra Amarilla NM 87575

Rice Living Trust CHCC-002-0004A 145 Bosque Loop, Bernalillo NM 87004
CHCC-002-0005A

These waters belong to the public and are subject to appropriation in accordance with laws of the State of New Mexico. This Court has exclusive jurisdiction to adjudicate all claims to the right to divert, store, or use public waters of the Rio Chama Stream System.

2. The persons or entities listed above are in Section 7 of the Rio Chama Stream System, and may be diverting and using water associated with the subfile numbers listed, or may otherwise be using or diverting surface or underground waters within Section 7 of the Rio Chama Stream System.

DATED: June 29, 2006

Respectfully submitted,

/s/ Ed Newville
EDWARD G. NEWVILLE
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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was transmitted by ACE filing to the following this 29 day of June, 2006:

Special Master Vickie L. Gabin
USDC-DCNM
P.O. Box 2384
Santa Fe, NM 87504-2384

Karla McCall, Data Manager
1315 Sagebrush Dr. SW
Los Lunas, NM 87031

/s/ Ed Newville
Edward G. Newville